

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

GESTURE TECHNOLOGY PARTNERS,  
LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:21-cv-00121-ADA

**JURY TRIAL DEMANDED**

**DECLARATION OF CATHERINE HUANG IN SUPPORT OF DEFENDANT APPLE  
INC.'S OPPOSED MOTION TO STAY PENDING RESOLUTION OF *INTER PARTES*  
REVIEW OF THE ASSERTED PATENTS**

I, Catherine Huang, hereby declare and state as follows:

1. I am an associate with the law firm of DLA Piper LLP (US), counsel of record for Defendant Apple Inc. (“Apple”) in this case. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to these facts under oath.

2. As of the date of this declaration, fact discovery has not yet begun, and the Court has not set dates for the claim construction hearing and trial. The parties have only engaged in venue discovery, which closed on November 15, 2021, as well as limited claim construction-related discovery. Plaintiff Gesture Technology Partners, LLC (“Gesture”) served preliminary infringement contentions on July 16, 2021; Apple served preliminary invalidity contentions on October 1, 2021; and Gesture just filed its opening claim construction brief on November 30, 2021 (Dkt. No. 33).

3. On April 18, 2021, Apple filed an IPR petition challenging all claims of U.S. Patent No. 8,553,079 (“the ’079 patent”). Apple thereafter filed IPR petitions challenging all

claims of U.S. Patent Nos. 7,933,431 (“the ’431 patent”), 8,194,924 (“the ’924 patent”), and 8,878,949 (“the ’949 patent”) on May 21, 2021, May 26, 2021, and June 2, 2021, respectively.

4. Gesture filed Patent Owner Preliminary Responses to Apple’s IPR petitions on August 30, 2021 (’079 patent), September 7, 2021 (’431 and ’924 patents), and September 15, 2021 (’949 patent).

5. Attached as **Exhibit 1** is a true and correct copy of the Patent Trial and Appeal Board’s (“PTAB”) Decision Granting Institution of *Inter Partes* Review of the ’079 patent.

6. Attached as **Exhibit 2** is a true and correct copy of the PTAB’s Decision Granting Institution of *Inter Partes* Review of the ’924 patent.

7. Attached as **Exhibit 3** is a true and correct copy of the PTAB’s Decision Granting Institution of *Inter Partes* Review of the ’431 patent.

8. Attached as **Exhibit 4** is a true and correct copy of the PTAB’s Decision Granting Institution of *Inter Partes* Review of the ’949 patent.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on December 14, 2021, in San Diego, California.

/s/ Catherine Huang  
Catherine Huang